



Congressman Pedro R. Pierluisi
Statement in Opposition to Amendment Offered By Paul Broun (R-GA)
Markup of H.R. 2499, the Puerto Rico Democracy Act of 2009
Committee on Natural Resources
July 22, 2009

I oppose this amendment. It is clearly premature. The sole purpose of this bill is for Congress to formally consult the people of Puerto Rico regarding the Island's political status. Under the first plebiscite, voters would express whether they want to retain the current status or to pursue a different status. If a majority of voters want a different status, then a second plebiscite would be authorized. Statehood would be but one of three non-territorial status options presented on that ballot.

What the legislation does not do is require Congress to admit Puerto Rico as a state of the union or even to set the admission process in motion. If a majority of voters cast their ballots in favor of a different political status in the first plebiscite and in favor of statehood in the second plebiscite, the ball would move squarely into Congress's court. The bill does not legally compel Congress to act, although one hopes and expects that a serious dialogue would begin at that juncture. Whether, if and how Congress would choose to act to implement any desire expressed by the people of Puerto Rico to become a state is likely to depend on a variety of factors, and is not relevant to this bill. Only at that point in time would the amendment offered by the gentleman from Georgia be ripe for consideration. There is simply no reason to saddle this

legislation with an amendment that would only be germane if various events were to occur that have not yet occurred and may never occur. The amendment should be rejected on this basis alone.

With that said, I want to address directly the amendment's two components. First, the amendment's requirement that English become the official language of a potential state of Puerto Rico would constitute an unprecedented violation of principles of federalism and limited government. In no other instance does federal law prescribe an official language for a state. Indeed, 20 states have chosen not to recognize any language—including English—as their official language. Puerto Rico, by contrast, does recognize English as an official language, along with Spanish. In this respect, Puerto Rico is not unlike Hawaii and Louisiana, both of which also recognize two languages. There would be no sound reason to require of Puerto Rico what is not required of any other state, and it is highly doubtful whether it would be constitutionally permissible to do so. I very much look forward to having this debate with the gentleman from Georgia, but I respectfully suggest we save it for a later date.

The second aspect of the amendment would require, as a condition of Puerto Rico becoming a state, that all official business on the Island be conducted solely in English. This provision is seriously misguided. Requiring the potential state of Puerto Rico to use only English when conducting official business would deprive its state's citizens of essential services and information and would compromise public health and safety. Imagine the following scenario: an elderly woman is attacked while walking down the street. When police arrive upon the scene, they learn that the woman speaks little English. Under a fair reading of this amendment, the police and any emergency personnel responding to the attack would be forbidden from speaking with the victim in her native Spanish—even though those workers would almost certainly speak

fluent Spanish. The victim would thus be deprived of medical assistance, and the opportunity to pursue the attacker would be compromised. The senselessness of this scenario should lead us all to reject this aspect of the amendment.

Puerto Rico has been part of the United States for 111 years and is considered a state under most laws. During this period of time, a majority of its people have spoken Spanish as their predominant language. Yet this has not presented a problem for the United States in the application of federal law or otherwise.

For all of the foregoing reasons, I urge members of the Committee to oppose this amendment.